

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2867
)	
PAUL BLUMBERG, D.O.)	FINDINGS OF FACT,
Holder of License No. 1597 for the)	CONCLUSIONS OF LAW
practice of osteopathic medicine)	AND BOARD ORDER FOR
in the State of Arizona.)	DECREE OF CENSURE
_____)	

INTRODUCTION

This matter came before the Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") for final consideration and decision at the Board's public meeting held on March 31, 2001. Pursuant to its statutory authority at A.R.S. § 32-1855(E), the Board held an Investigative Hearing on March 31, 2001. During the course of these proceedings, Paul Blumberg, D.O. (hereinafter "Respondent") was present and represented by legal counsel, Stephen Myers. Based upon Respondent's testimony and documentary evidence submitted to the Board, the board issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is a licensee of the Board and the holder of License No. 1598.
2. On or about November 13, 2000 the Board received information and opened an investigation into the allegation that Respondent proceeded with elective cosmetic surgeries on a patient with an increased risk for a cardiac event.
3. At the Board's March 31, 2001 open meeting, the Board heard testimony from Respondent, witnesses and reviewed all documentation on the allegations. In public session on March 31, 2001, the Board found that Respondent inappropriately performed elective cosmetic

surgeries on a patient he knew had a cardiac condition and was at increased risk for a cardiac event.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The Board has the authority to enter into an order for disciplinary action against a license, pursuant to A.R.S. § 41-1063, A.R.S. § 32-1855 and A.R.S. § 32-1861(D).

3. The Respondent engaged in unprofessional conduct as defined in. A.R.S. § 32-1854 by violating federal and state statutes and regulations:

(6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the Board determines falls below the community standard.

(40) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

(46) Conduct that the Board determines constitutes negligence that results in harm or death of a patient.

ORDER

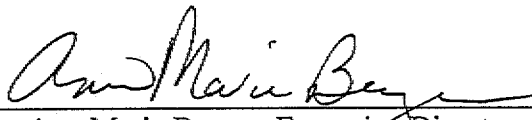
Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

Paul Blumberg, D.O. ("Respondent") is hereby issued a **DECREE OF CENSURE** for the conduct listed above.

ISSUED this 9th day of April, 2001.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By:


Ann Marie Berger, Executive Director

Notice of Request For Rehearing:

You have the right to request a rehearing or review of this matter pursuant to A.R.S. § 41-1092.90. The request for rehearing or review must be filed with the Arizona Board of Osteopathic Examiners in Medicine and Surgery within thirty (30) days. Specify in detail and with particularity at least one of the seven grounds that apply to your request for rehearing or review, as mandated by A.A.C. R4-22-106(C). A request for rehearing or review shall be a prerequisite prior to seeking judicial review pursuant to A.R.S. § 41-1092.09.

Copy mailed by U.S. Certified Mail
this 10th day of April, 2001 to:

Stephen W. Myers
Myers & Jenkins
3003 N. Central Ave., Suite 1900
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A copy mailed this 10th day of
April, 2001 to:

Paul Blumberg, D.O.
455 N. Mesa Dr., Suite 15
Mesa AZ 85201

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Barbara Meyers